

## UNITED STATES DISTRICT COURT

for the

Western District of Virginia

JUN 19 2019

BY: JULIA C. DUDLEY, CLERK  
DEPUTY CLERK  


United States of America

v.

TIMOTHY BAKHARI MOTLEY

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Case No: 7:94CR40106-019

USM No: 04938-084

Date of Previous Judgment: 04/21/2015

(Use Date of Last Amended Judgment if Applicable)

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Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 360 months is reduced to 301 months\*.

**I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)**

Previous Offense Level: 19

Amended Offense Level: 19

Criminal History Category: V

Criminal History Category: V

Previous Guideline Range: 60 to 71 months

Amended Guideline Range: 57 to 71 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

The age of the offense and Defendant, along with the change in the law with regards to multiple 924(c) convictions, warrant a sentence below the applicable guidelines range.

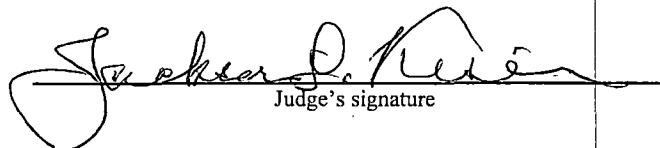
**III. ADDITIONAL COMMENTS**

\*Defendant is sentenced to 301 months or time served, whichever is greater. Defendant's sentence consists of: 1 month on Counts 1, 19, 25, 27, 28, 29, 31, 33, and 40, all to run concurrently; 60 months on Count 32, to run consecutively to all other counts; and 240 months on Count 34, to run consecutively to all other counts.

Except as provided above, all provisions of the judgment dated 04/21/2015 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: June 19, 2019



Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Hon. Jackson L. Kiser, Senior U.S. District Judge

Printed name and title